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April 1, 2008

## MEMO ENDORSED

Honorable Kenneth M. Karas,  
United States District Judge  
United States District Court  
Southern District of New York  
300 Quarropas Street, Chambers 533  
White Plains, New York 10601-4150

Re: Metlife vs. Delio and Sobie  
Civil Action No. 07-7215

Honorable Sir:

Our office represents the Sobie defendants in this action of interpleader filed by the plaintiff, MetLife Insurance Company.

I beg to advise that I have been scheduled to select a jury and proceed to trial forthwith as counsel for the plaintiff in Saldivar vs. I.J. White Corp. in Supreme Court, Kings County, at the JCP Part on April 30, 2008.

A Judgment of dismissal of the Complaint was reversed by the Appellate Division and the Court's policy is to attempt to expeditiously handle retrials. The Saldivar case is seven years old and involves claims for damages for very serious personal injuries.

There is little likelihood that the case will be settled and, accordingly, I request the rescheduling of the Pre-trial conference from May 1, 2008 to May 8, 2008 with the trial to proceed as promptly thereafter as possible.

Respectfully yours,

Noel W. Hauser

NWH:eg

cc: ALVIN PASTERNAK, ESQ.  
PATRICIA CURRAN REINHARDT, ESQ.  
MR. MICHAEL MENDELSON  
JAMES R. CARCANO, ESQ.

This trial was scheduled before the  
Saldivar matter. Therefore, the Court will not  
adjourn this case.

KENNETH M. KARAS U.S.D.J.

4/2/08